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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

ANTONIO RIVERA,

Case No. 11-cv-732-MA

Petitioner,

ORDER

v.

JEFFREY THOMAS, Warden, FCI
Sheridan,

Respondent.

MARSH, Judge

On June 16, 2011, petitioner Antonio Rivera filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. Petitioner sought expedited consideration of the petition. On July 26, 2011, respondent filed a response. On August 24, 2011, petitioner filed a Motion for Voluntary Dismissal of Petition, seeking dismissal of this proceeding without prejudice. (#20.) In the motion and supporting memorandum, petitioner advises the court that he no longer wishes to litigate the petition, and that respondent has no objection to the voluntary dismissal. (#21.) I have considered

petitioner's submissions and the record of this case, and find dismissal is appropriate. Fed.R.Civ.Pro. 41(a)(2).

Accordingly, petitioner's Motion for Voluntary Dismissal of Petition (#20) is GRANTED and this proceeding is DISMISSED without prejudice.

IT IS SO ORDERED.

DATED this 6 day of SEPTEMBER, 2011.



Malcolm F. Marsh
United States District Judge